



STATE OF MICHIGAN  
DEPARTMENT OF EDUCATION  
LANSING




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SUPERINTENDENT OF  
PUBLIC INSTRUCTION

January 26, 2005

**MEMORANDUM**

**TO:** LEA and ISD Superintendents, Authorizers and Directors of Public School Academies, and ISD Directors of Special Education

**FROM:** Jeremy M. Hughes, Ph.D.   
Chief Academic Officer/Deputy Superintendent

**SUBJECT:** Highly Qualified Special Education Teachers

On December 3, 2004, President Bush signed the reauthorization of the Individuals with Disabilities Education Act (IDEA). The reauthorized law becomes effective on July 1, 2005. However, the highly qualified teacher requirement, §602(10)(A)(C-F), took immediate effect (see Attachment A for the IDEA language).

After careful review of the new law, the Michigan Department of Education has made changes to a chart, "Highly Qualified Special Education Teachers Teaching Core Academic Subjects" that was distributed during 2004. A new chart, Attachment B, reflects the Department's deeper understanding of a highly qualified special education teacher.

The change centers on the earned master's degree. In the past, certain master's degrees could be used to signify highly qualified status for special education teachers. However, with the reauthorization of the IDEA, there are now specific standards for special education teachers which require a demonstration of core content knowledge. Therefore, a master's degree can only be used in conjunction with the High Objective Uniform State Standard of Evaluation (HOUSSE); it must be demonstrated that the master's degree reflects relevance to each core academic subject taught by the teacher.

Please inform your local districts and local special education directors of this change. As a reminder, under No Child Left Behind, all teachers must meet the highly qualified standards by the end of the 2005-06 school year.

If you have questions regarding this chart, please contact Dr. Frank Ciloski, Office of Professional Preparation Services, at [ciloskif@michigan.gov](mailto:ciloskif@michigan.gov) or (517) 373-6791, or Dr. Joanne Winkelman, Office of Special Education and Early Intervention Services, at [winkelmanj@michigan.gov](mailto:winkelmanj@michigan.gov) or (517) 373-1696.

Attachments

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(10) HIGHLY QUALIFIED-

(A) IN GENERAL- For any special education teacher, the term 'highly qualified' has the meaning given the term in section 9101 of the Elementary and Secondary Education Act of 1965, except that such term also--

(i) includes the requirements described in subparagraph (B); and

(ii) includes the option for teachers to meet the requirements of section 9101 of such Act by meeting the requirements of subparagraph (C) or (D).

(B) REQUIREMENTS FOR SPECIAL EDUCATION

TEACHERS- When used with respect to any public elementary school or secondary school special education teacher teaching in a State, such term means that--

(i) the teacher has obtained full State certification as a special education teacher (including certification obtained through alternative routes to certification), or passed the State special education teacher licensing examination, and holds a license to teach in the State as a special education teacher, except that when used with respect to any teacher teaching in a public charter school, the term means that the teacher meets the requirements set forth in the State's public charter school law;

(ii) the teacher has not had special education certification or licensure requirements waived on an emergency, temporary, or provisional basis; and

(iii) the teacher holds at least a bachelor's degree.

(C) SPECIAL EDUCATION TEACHERS TEACHING TO

ALTERNATE ACHIEVEMENT STANDARDS- When used with respect to a special education teacher who teaches core academic subjects exclusively to children who are assessed against alternate achievement standards established under the regulations promulgated under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965, such term means the teacher, whether new or not new to the profession, may either--

(i) meet the applicable requirements of section 9101 of such Act for any elementary, middle, or secondary school teacher who is new or not new to the profession; or

(ii) meet the requirements of subparagraph (B) or (C) of section 9101(23) of such Act as applied to an elementary school teacher, or, in the case of instruction above the elementary level, has subject matter knowledge appropriate to the level of

instruction being provided, as determined by the State, needed to effectively teach to those standards.

(D) SPECIAL EDUCATION TEACHERS TEACHING

MULTIPLE SUBJECTS- When used with respect to a special education teacher who teaches 2 or more core academic subjects exclusively to children with disabilities, such term means that the teacher may either--

(i) meet the applicable requirements of section 9101 of the Elementary and Secondary Education Act of 1965 for any elementary, middle, or secondary school teacher who is new or not new to the profession;

(ii) in the case of a teacher who is not new to the profession, demonstrate competence in all the core academic subjects in which the teacher teaches in the same manner as is required for an elementary, middle, or secondary school teacher who is not new to the profession under section 9101(23)(C)(ii) of such Act, which may include a single, high objective uniform State standard of evaluation covering multiple subjects; or

(iii) in the case of a new special education teacher who teaches multiple subjects and who is highly qualified in mathematics, language arts, or science, demonstrate competence in the other core academic subjects in which the teacher teaches in the same manner as is required for an elementary, middle, or secondary school teacher under section 9101(23)(C)(ii) of such Act, which may include a single, high objective uniform State standard of evaluation covering multiple subjects, not later than 2 years after the date of employment.

(E) RULE OF CONSTRUCTION- Notwithstanding any other individual right of action that a parent or student may maintain under this part, nothing in this section or part shall be construed to create a right of action on behalf of an individual student or class of students for the failure of a particular State educational agency or local educational agency employee to be highly qualified.

(F) DEFINITION FOR PURPOSES OF THE ESEA- A teacher who is highly qualified under this paragraph shall be considered highly qualified for purposes of the Elementary and Secondary Education Act of 1965.

**Highly Qualified  
Special Education Teachers  
Teaching Core Academic Subjects**

ATTACHMENT B

Teachers Not New to the Profession						*New to the Profession as of 2003-2004	
	<i>Certificated Pre-1992</i>	<i>Certificated Pre-1992</i>	<i>Certificated Pre-1992</i>	<i>Certificated Post –1992</i>	<i>Certificated Post-1992</i>	<i>New Graduate</i>	<i>New Graduate</i>
Elementary Certificate with Endorsement in Special Education	Elementary Certificate with Endorsement in Special Education	Secondary Certificate with Endorsement in Special Education	Secondary Certificate with Endorsement in Special Education	Secondary Certificate with Endorsement in Special Education	Elementary Certificate with Endorsement in Special Education	Elementary or Secondary Certificate with Endorsement in Special Education	Secondary Certificate with Endorsement in Special Education
Teaching at the elementary level	Teaching at the secondary level	Teaching at the elementary level	Teaching at the secondary level	Teaching at the elementary or secondary level	Teaching at the secondary level	Seeking employment at the secondary level	Seeking employment at the elementary level
No additional requirements	Additional requirements: • HOUSSE, or • MTTC elementary education test, or • MTTC for each subject taught	Additional requirements: • HOUSSE, or • MTTC elementary education test	Additional requirements: • HOUSSE, or • MTTC elementary education test, or • MTTC for each subject taught	Passed Basic Skills and MTTC Special Education Test  Additional requirements: • HOUSSE, or • MTTC elementary education test, or • MTTC for each subject taught	Passed Basic Skills and MTTC Special Education Test  Additional requirements: • HOUSSE, or • MTTC elementary education test, or • MTTC for each subject taught	Passed Basic Skills and MTTC Special Education Test  Additional requirements: • MTTC elementary education test, or • MTTC for each subject taught	Passed Basic Skills and MTTC Special Education Test  Additional requirements: • MTTC elementary education test

HOUSSE – High Objective Uniform State Standard of Evaluation. When using a master’s degree to meet the HOUSSE standards, it must be shown how the master’s degree reflects each core academic subject taught. (A master’s degree in Guidance/Counseling, Administration, Psychology, or Educational Leadership programs DO NOT lead to the attainment of highly qualified status.)

MTTC – Michigan Test for Teacher Certification

\* New to the Profession – A graduate not yet employed in a teaching position. Elementary certified teachers new to the profession with an endorsement in special education and teaching at the elementary level are highly qualified.